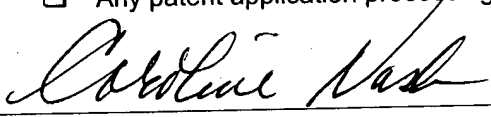
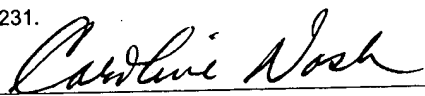
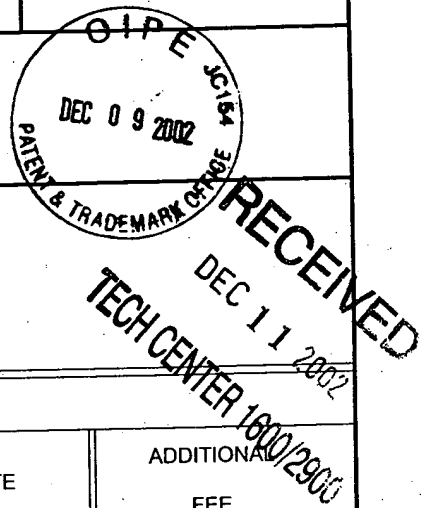


AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. Army 145	
Applicant(s): Setterstrom, et al.					
Serial No. 09/618,577	Filing Date July 18, 2000	Examiner Wells, L.		Group Art Unit 1617	
Invention: Therapeutic Treatment And Prevention Of Infection With A Bioactive Materials Encapsulated Within A Biodegradable-Biocompatible Polymeric Matrix					
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	129 -	119 =	10 x	\$18.00	\$180.00
INDEP. CLAIMS	8 -	8 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$180.00
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 21-0380 in the amount of \$180.00 A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 21-0380 A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 Signature			Dated: December 4, 2002		
Caroline Nash, Reg. No. 36,329 Nash & Titus, LLC 3415 Brookeville Road Brookeville, MD 20833 (301) 924-2403 for: Elizabeth Arwine, Reg. No. 5,867 U.S. Army Medical Research and Materiel Command Fort Detrick, MD 21702-9223					
<div style="border: 1px solid black; padding: 5px;"> I certify that this document and fee is being deposited December 4, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.  Signature of Person Mailing Correspondence Caroline Nash Typed or Printed Name of Person Mailing Correspondence </div>					
CC:					





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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
Setterstrom et al.

Group Art Unit: 1617

Serial No.: 09/618,577
(Divisional application of
U.S. Ser. No. 08/789,734)

Examiner: Wells, Lauren

Filing Date: July 18, 2000

FOR: THERAPEUTIC TREATMENT AND PREVENTION OF INFECTIONS WITH A
BIOACTIVE MATERIALS ENCAPSULATED WITHIN A BIODEGRADABLE-
BIOCOMPATIBLE POLYMERIC MATRIX

* * * * *

**SUPPLEMENTAL PRELIMINARY AMENDMENT
AND RESPONSE TO RESTRICTION REQUIREMENT**

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated August 27, 2002 which contained a
restriction requirement, Applicant makes the following election:

Response to Restriction requirement:

- Applicants elect Group II, Claims 42-48 and new claims 158-168, drawn to a process for preparing controlled release compositions.
- Applicants elects the peptide CFA/I as the active agent with the starting sequence of 124(Lys-Thr-Ala-Gly-Thr-Ala-Pro-Thr-Ala-Gly-Asn-Thr-Ser).
- Applicant elects bacterial infections as the infection and/or disease.
- Applicants elect *E. Coli* as the pathogenic organism.

Applicant telephoned Examiner Wells on or about September 10, 2002 to
discuss the restriction requirement and Examiner Wells indicated at that time that a

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FC:1202

response that included (1) an active agent, (2) the type of infection, i.e. bacterial, viral, etc., (3) the pathogenic organism, and (4) the claims readable thereon would be a sufficient reply. This was in response to Applicants' pointing out on the telephone to the Examiner that the generic groups listed on page 4 of the office action had considerable overlap.

---Next page please---